

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

FRANK SCHULER,

Plaintiff,

-against-

DELAWARE AND HUDSON RAILWAY
COMPANY, INC.,

Defendant.

**STIPULATION OF
DISCONTINUANCE**

**Civil Action No.:
08-CV-988**

TJM/DEP

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of this action, any and all claims against the defendants, and the same are hereby discontinued, with prejudice and on the merits, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

DATED: October ^{5th}, 2009

SCARZAFAVA &
BASDEKIS, LLP

McNAMEE, LOCHNER, TITUS
& WILLIAMS, P.C.


By: 

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By: 

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IT IS SO ORDERED:



David E. Peebles
U.S. Magistrate Judge

Dated: October 13, 2009

Syracuse, NY